

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator's)	ORDER OF
)	
Certificate of Derrick Lamont James)	PUBLIC REPRIMAND
)	
Certificate 182283)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 8, 2005. On November 12, 2003, in accordance with S.C. Code Ann. § 1-23-370(c) (1986), the State Board summarily suspended educator certificate 182283, issued to Derrick Lamont James, on the basis that Mr. James may pose a threat to the health, safety, or welfare of students that may be under his instruction. On December 8, 2004, a hearing was conducted before John Fantry, Esq., concerning the possible suspension or revocation of Mr. James' certificate. After considering the hearing officers findings and conclusions, the State Board voted to lift the summary suspension and issue a public reprimand to Mr. James on the grounds of unprofessional behavior.

FINDINGS OF FACT

Mr. James was under contract with the Calhoun County School District for the 2003-2004 school year as an assistant principal at Calhoun County High School. On October 15, 2003, he was arrested and charged with Criminal Sexual Conduct. He subsequently resigned from his assistant principal position. A criminal trial was held but ended without conviction. A public hearing was then conducted on December 8, 2004, where the Department of Education sought action against Mr. James' certificate on the grounds of unprofessional conduct, immorality and unfitness to serve as an educator.

Mr. James admitted to visiting at the homes of young persons of the opposite sex when a parent or another adult was not present. Mr. James thinks that it is acceptable to talk about boys and sex with young females for the

purpose of counseling them, though he has no special training. Mr. James has talked about boys and sex with young females as a friend without a parent or another adult present. Mr. James admitted touching one young female on the stomach while saying as a joke, “ooh, I feel the baby kick already.”

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that there is sufficient evidence in the record to conclude that Mr. James engaged in unprofessional behavior. Accordingly, the State Board hereby issues a public reprimand to Mr. James, which will be sent to all school districts in South Carolina and maintained as a public record in the Office of General Counsel of the Department. The State Board also hereby lifts the summary suspension of Mr. James’ certificate imposed on November 12, 2003.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester

Chair

Columbia, South Carolina
March 8, 2005